

REMARKS

This application has been reviewed in light of the Office Action dated July 17, 2006. Claims 55-70 are presented for examination, of which Claims 55, 60, and 65 are in independent form. Claims 55-70 have been amended to define still more clearly what Applicants regard as their invention. Claims 1-54, 71, and 72 have been canceled, without prejudice or disclaimer of subject matter, and will not be mentioned further. Favorable reconsideration is requested.

A Claim to Priority and certified copies of the priority documents for this application were filed by hand delivery on June 10, 2002, as evidenced by the return receipt postcard bearing the stamp of the Patent and Trademark Office, a copy of which is attached hereto. A copy of the filed Claim to Priority and partial copies of the priority documents are also attached, for the Office's assistance in searching for the originals. Regardless of whether or not the Office is able to locate the originals, however, Applicant notes that he has fulfilled all conditions set by the statute and the rules to perfect his right to priority benefit, and therefore respectfully requests acknowledgment of the receipt of all required certified copies.

The Abstract was objected to in paragraph 4 of the Office Action and a replacement Abstract is provided. It is believed that the objection to the Abstract has been remedied, and its withdrawal is therefore respectfully requested.

Claims 55-59 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Claims 55-59 have been amended to recite "An information processing apparatus." Accordingly, it is believed that the rejection under Section 101 has been obviated, and its withdrawal is therefore respectfully requested.

Claims 55-70 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 6,513,159 (*Dodson*) in view of U.S. Patent No. 6,721,879 (*Tanaka*).

According to an aspect of at least one embodiment of the invention to which Claim 55 relates, an information processing apparatus transmits both a driver set-up instruction and a test printing instruction to a client apparatus via a network. By virtue of this aspect of the present invention, an IT manager, for example¹, can confirm that the driver set-up for the client apparatus has been completed by checking a print sheet for the test printing output from the printer without having to check the driver set-up status in the client apparatus.

Claim 55 is directed to an information processing apparatus in communication with one or more client apparatuses via a network, including determining means and transmission controlling means. The determining means determines a client apparatus on which a driver is to be set up. The transmission controlling means controls operations to transmit to the determined client apparatus, via the network, a set-up instruction to set up a driver for the client apparatus and a test printing instruction to have the client apparatus execute test printing to check if the driver set-up for the client apparatus has been completed.

Among other notable features of the apparatus of Claim 55, is the transmitting of both a driver set-up instruction and a test printing instruction from an information processing apparatus to a client apparatus via a network.

Dodson relates to a distribution of driver programs in a network system. In particular, the *Dodson* system includes an automatic installation program that has a system

¹/ It is to be understood that the claim scope is not limited by the details of any examples or of any particular embodiments that may be referred to.

evaluator, which evaluates the hardware configuration of a computer, and a driver evaluator, which determines which drivers are installed on the computer. The program assembles a stack from the hardware configuration, and compares the stack with a valid package matrix. Upon a match being found, the drivers in the stack are compared with those on the computer, and the program determines which drivers need to be installed on the computer, and which that are already there need to be updated.

Applicant submits, however, that nothing in *Dodson* would teach or suggest an apparatus like that of Claim 55, in which both a driver set-up instruction and a test printing instruction are transmitted from an information processing apparatus to a client apparatus via a network. Claim 55 is therefore believed to be clearly allowable over *Dodson*, taken alone.

Tanaka relates to the execution of a test printing of an installed driver in a locally connected apparatus. In contrast, the apparatus of Claim 55 is directed to test printing in a network apparatus. Even if *Tanaka* is deemed to show all that is cited for, that does not supply what is missing from *Dodson* as a reference against Claim 55.

Applicant submits that nothing in *Dodson* or *Tanaka*, whether considered separately or in any permissible combination (if any), would teach or suggest the transmitting of both a driver set-up instruction and a test printing instruction from an information processing apparatus to a client apparatus via a network.

Accordingly, Claim 55 is believed to be clearly allowable over *Dodson* or *Tanaka*, either separately or in any permissible combination (if any).

Independent Claims 60 and 65 are method and computer program product claims, respectively, corresponding to apparatus Claim 55, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 55.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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